

MINUTES
MEETING OF THE HUMAN RIGHTS COMMISSION
13 MAY 2020
CONFERENCE ROOM
ARTEMIS HOUSE

PRESENT (via Zoom):

Dale Crowley	Chairman
Rev. Dr. Yvette Noble Bloomfield	Member
Joni Kirkconnell	Member
Dorothy Scott	Member
Nick Quin	Member

COMMISSIONS SECRETARIAT MEMBERS PRESENT (via Zoom):

Deborah Bodden	Manager
Shari Welcome	Public Relations and Education Coordinator (for part)
Sheila Watler	Administrator/Analyst
Lise Hurlstone	Administrator/Analyst (for part)

1. Meeting called to order

The meeting was called to order at 1:05pm.

2. Confirmation of Previous Minutes

The minutes of 11 March 2020 were approved.

3. Outstanding Business (where updates have been received)**a. 2020-21 Agenda**

Following discussions at the last meeting, the Public Relations and Education Coordinator presented a draft communications strategy proposal which Members will review and provide their feedback on for discussion at the next meeting. It is noted that due to the current climate the direction/goals of the Commission may need to re-visited. It was agreed that the proposal could be agreed for future action when there is a return to "normal" business.

b. PR Re: Measures taken by CIG in response to COVID-19

The Commission released a statement on 25 March 2020 on the initial measures instituted by the Cayman Islands Government in relation to COVID-19. The statement reiterated that the Government has a duty to protect the right to life (s.2) of every individual in the Cayman Islands and as such the decision by the Government to impact various human rights is not taken lightly. The Commission further indicated that it stands behind the Government as

they seek to put in place safeguards to prevent the spread of COVID-19 throughout our community.

Since the release was issued there have been a number of reports in the media by a number of individuals questioning the ongoing restrictions and whether these are lawful. As the climate has now changed, the Commission agreed that it would approach the Government to try to understand the “work-in-progress” plans in order to help alleviate concerns and manage queries.

c. Francis Boddien Children’s Home (FBCH)

The Commission wrote to the relevant Ministry and the CAYS Foundation (which oversees the boys and girls homes) expressing the Commission’s general concerns regarding the number of reports regarding runaways and lack of safety processes seen in the media. The Commission requested details as it relates to the steps that have been taken by the Government to address/remedy these issues and ensure the safety and welfare of these children who have been placed in care. In addition, the Commission requested details on the measures that have been put in place to ensure the promotion of wellness (both physically and emotionally) and social distancing during the ongoing global pandemic. Whilst a general response was received from the Chief Officer, specific details have not been provided. The Secretariat will follow-up on the requested information.

4. New Business

a. Codes of Conduct Research Across Commonwealth

Following consideration of a complaint (which was subsequently closed following a review without the identification of a breach), the Commission undertook research into the general theme of the complaint, producing the captioned summary. After review of the updated research the Commission agreed to post to its website the summary and in due course issue a press release on the subject matter to explain the background to the matter.

b. National Pensions (Amendment) Law, 2020

Following a Member’s receipt of a query from a member of the public, Members considered the recent passage of this Law which allows persons in the private sector to withdraw a limited amount of funds from their pension accounts due to the current global pandemic. The Commission was unable to identify a breach of any human rights which have occurred as a result of the passage of this Law by the Legislature. The query will be responded to (formally) by the Secretariat following approval of the draft response by the Chairman.

5. Human Rights Complaints & Enquiries

a. Update on Human Rights Complaint 005/2017

The necessary follow-up information was received by the legal advisor and shared with the Commission. Following the review of this additional information, the requested information was shared with the Complainant’s legal representative. No further action is required and the file remains closed.

b. Update on Human Rights Complaints 018/2019

The Commission followed-up with the public authority on 15 April 2020 to again obtain answers to the queries of the Commission. Whilst an acknowledgment was received from the public authority, a formal response has not yet been received. The Secretariat will follow-up on receipt of such a response in order for the Commission to further consider this matter.

c. Update on Human Rights Complaints 021/2019, 022/2019 & 023/2019

Following its satisfaction with the response provided by the public authority and the decision that there was no evidence of a breach of the complainants' human rights, the Commission enquired of the public authority as to whether they have provided the complainants with reasons for its decisions prior to closing the file. Due to the global pandemic the public authority was unable to access the physical files in order to provide the Commission with the requested confirmation. The Secretariat will follow-up as the situation returns to a more "normal" working routine.

6. Any Other Business

There was no further business to discuss.

7. Action Items

Members are to consider the 2020-21 draft communications strategy proposal.

The Secretariat was asked to:

- a. Draft correspondence to the CIG in regards to the restrictions currently in place in response to COVID-19;
- b. Follow-up on the requested information as it relates to the Children's Homes;
- c. Draft a press release for the Commission's approval as it relates to 4.a. above;
- a. Draft a response as it relates to the query regarding the National Pensions (Amendment) Law, 2020; and
- d. Follow-up on the outstanding requests as it relates to human rights complaints a detailed above.

8. Items to be Discussed at the Next Meeting

- a. Continued Detention Policy
- b. Refugee Protection Appeals Tribunal (RPAT)
- c. IDC Update
- d. Independent Monitoring Board (IMB)
- e. Prohibited Immigrant Report Letter
- f. Draft 2018-19 Annual Report
- g. Draft 2019 Annual Report (Second Half)
- h. IDC and Prisons Tour
- i. Civil Unions Legislation

- j. Education (Amendment) Bill, 2019 and Draft Anti-Bullying (Schools) Regulations, 2019
- k. Surveillance Devices Bill, 2019
- l. Electoral Register
- m. 2020-21 Agenda
- n. Measures taken by CIG in response to COVID-19
- o. Concerns Re: Children's Homes
- p. Code of Conduct Research Across Commonwealth

9. Next Meeting

The next meeting date will be determined based on the matters to be discussed.

10. Adjournment

The meeting was adjourned at 2:15pm.



Dale Crowley
CHAIRMAN
HUMAN RIGHTS COMMISSION